

In The District Court of the United States  
For the Western District of New York  
(Buffalo) New York Division

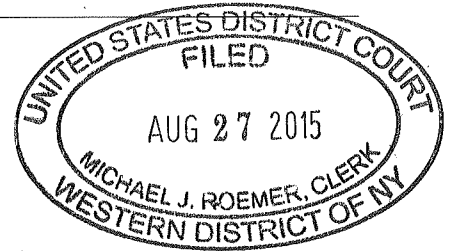
Deborah Ann Buczek  
The real party of interest  
Rule 17a- pro, per  
Owner of the Account  
Plaintiff

-v-

KEYBANK NATIONAL et.al.  
TAX I.D. 34-1586030

FEIN SUCH & CRANE-TRESPASS BY THIRD PARTIES  
Craig K. Beideman  
Mark K. Broyles  
David. P. Case

Defendants



**NOTICE OF REMOVAL**

15 CV 764-3

**NOTICE OF REMOVAL FEDERAL QUESTION'S**

Now comes Defendant's FEIN, SUCH & CRANE TRESPASS BY THIRD PARTIES Craig K. Beideman, Mark K. Broyles and David. P. Case, pursuant to 28 U.S.C. §§1331, 1441(a), 15 U.S.C. §1601 and 1692 (a) Abusive practices and files this Notice of Removal and in support hereof set forth the following grounds:

1. On or after January 23, 2015, Deborah Ann Buczek the Owner of the account was not properly served with Plaintiff's Complaint of Foreclosure in an action entitled Summons and Complaint with Notice of Pendency of Action, filed of record with the Clerk of the Erie County, New York, County Court of the State of New York, Index Number 2015600022. **See Attachment (A)**

2. Federal Question in Violation of the Under the Fair Debt Collection Practices Act. **See Attachment (B)** Affidavit of WILLIAM McCaffrey –loan charge off non –accrual debt and no longer bankable.
3. Federal Question on Failure to state a claim upon which relief can be granted 12 (b). “Failure to state a claim upon which relief can be granted”
4. Federal Question Truth in lending Cases (TILA) include: TILA itself, the Federal Reserve Board's Regulation Z codified under the Code of Federal Regulations - 12 CFR Part 226 Truth In lending (Regulation Z), United States Code, and case law. TILA (Truth in lending Act, 15 USC §1601. RESCISSION: If lender does not disclose, then there was no consummation, no loan contract on a Disclosure issue **See Attachment (C)**
5. The Plaintiff’s Complaint purports to set forth a cause of action under 15 U.S.C. § 1692, & 1601 et seq.
6. This Court has original jurisdiction over Plaintiff’s cause of action based on 15 U.S.C. §1692, et seq., as set forth in 28 U.S.C. § 1331, and 15 U.S. C. § 1692k (d). Pursuant to 28 U.S.C. §1441(a), therefore, the civil action pending in the Erie County Court is removable to this Court.
7. Defendants are filing their Answers to Plaintiff’s Complaint with the Clerk of this Court.
8. Federal Question of Extortion, Trespass, Abuse of Authority, Denial of Due Process, Obstruction of Justice, Racketeering, Coercion and False Claims Act.

WHEREFORE, Deborah Ann Buczek respectfully moves this court to grant this Notice of Removal for the aforesaid reasons. Based on the above information within the record, Deborah Ann Buczek, Real Party of Interest Rule 17a respectfully request that relief.

**Under penalty of perjury**, I affirm that the information contained in this document is true and correct to the best of my knowledge. All Specific Rights are explicitly reserved, without prejudice, U.C.C. 1-308, Common Law, Law of Nations.

Auto Graph: Deborah A Buczek

Deborah Ann Buczek All Rights Reserved UCC 1-308

Dated August 25, 2015

**Rule 81 (a) index identifying each document filed**

Re: THOMAS P. FRANCZYK-ERIE COUNTY COURT PART (25) 25 DELAWARE AVENUE

BUFFALO, N.Y. 14202 FAX 716-845-7510

- 1.) 1/21/2015-Summons & Complaint filed in Erie County Court
- 2.) 2/17/2015 Motion to Dismiss of Defective Service and Standing KeyBank not the Real Party Rule 17a
- 3.) 4/27/2015-Affidavit in Support of Motion for Dismissal and Motion for Summary Judgment Default for lack of personal jurisdiction, defective and improper service pursuant to N.Y. CVP. LAW Sec. 306 and 312-a Filed on Apr 27, 2015
- 4.) 8/25/2015 Notice of Removal to Federal Court based on Federal Question's (WDNY) Buffalo Division filed in State of New York County Court County of Erie.